

Taft Back from His Globe Circling Trip of 120 Days

U. S. Court Declares 80-Cent Gas Law Unconstitutional

McClellan Bars Ahearn From the Board of Estimate

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The EVENING WORLD.
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LUNACY BOARD'S INQUIRY IS LIKE ITS OWN DEFENSE

Evening World's Investigator of Ward's Island Abuses of Insane Virtually Put on Trial by State Commissioners.

The hearing before the State Lunacy Commission to-day of the charges of brutality in the Manhattan State Asylum for the Insane, preferred by The Evening World's investigator, Dr. John C. McCarthy, was not in session long before it took the phase of an investigation of Dr. John C. McCarthy. Lawyer Samuel S. Koenig, a Republican district leader, assumed the attitude of a prosecutor cross-examining a witness accused of a crime.

There are three members of the State Lunacy Commission—Dr. Albert Warren Ferris, the Chairman, an intimate friend of Supt. Mabr of the Ward's Island Hospital; Sheldon P. Viele, of Buffalo, a lawyer, and William L. Parkhurst, of Canandaigua. Mr. Viele was asleep during most of the morning session. On one occasion, when his advice was wanted on a point of law, his associates had to wake him up.

Mr. Parkhurst was the only member of the commission who refused a desire to get at the bottom of the systematic brutality that prevails on Ward's Island because of his utter lack of supervision over the attendants by the superintendent and his physicians.

Swore to Story of Abuses.
Dr. McCarthy was sworn at the opening of the proceedings. He testified to the occurrences already related in The Evening World—the continual brutality, the slugging and "hanging," the neglect, the "doping" and the absence of any sort of systematic medical treatment of the patients. He told of seeing one patient slugged and another patient choked into insensibility with a towel before he had been in the institution as an attendant six hours, and was asked why he did not immediately report these matters to the authorities.

Dr. McCarthy replied that he had been sent to the asylum by The Evening World for the purpose of making a thorough investigation of conditions with regard to the treatment of the insane. He felt that it would take at least a month to make such an investigation and could not see his way clear to report his work by making a complaint right at the start.

"You felt that you owed allegiance to The Evening World and next to the authorities here?" asked Dr. Ferris.

"Under the circumstances I felt that way," answered the witness.

Went About His Duty.
"Was it with the idea of making an investigation that you sought employment with The Evening World?" asked Mr. Koenig, who was reading from a document that had evidently been prepared with some care.

"I talked the matter over with the editor of The Evening World," he replied. "After that I came here with the idea of making an investigation."

"Did you talk to any one but the editor of The Evening World about it?" continued Mr. Koenig.

"Not that I recall."

Dr. McCarthy had previously testified that he had worked as an attendant at the Bloomingdale Asylum for eight months and at Bellevue in the psychiatric ward for four months. Mr. Koenig asked him if he knew a man named Collins, an attendant at Bloomingdale. Dr. McCarthy said he knew him well.

"Now then," said Mr. Koenig triumphantly, "didn't you tell Collins that you were going to write up your experiences in some institution and sell them to a newspaper, and didn't you ask him what institution would be the best to get your material from?"

"I did not," responded Dr. McCarthy emphatically.

"What were your ideas at that time?" asked Mr. Koenig.

"About the care and treatment of the insane my ideas were necessarily ideal," replied the witness.

Attendants Glare at Witness.
While Dr. McCarthy had been steadily telling the room had been steadily filling up with attendants in uniform. They formed in rows and glared at the witness. Looking them over, it was not hard to believe that the attendants at the Ward's Island Asylum are some-

80-CENT GAS LAW OVERTURNED BY THE U. S. COURT

Judge Hough Declares the Act Passed by Legislature Is Unconstitutional.

CALLS IT CONFISCATORY

Report of Referee Masten Is Upheld in All the Main Particulars.

Judge Hough in the United States District Court today decided that the recent Gas bill enacted by the Legislature two years ago is unconstitutional. The Court in all main particulars sustains the report made some months ago by Referee Arthur H. Masten, who was appointed by Judge Taft in a suit brought by the Consolidated Gas Company to test the constitutionality of the law.

The court practically sustains all the claims of the Consolidated gas company, holding that both of the statutes involved, as well as the order of the Commission of Gas and Electricity ordering the rate put into effect, are in contravention to the Fourteenth Amendment to the Federal Constitution, and the order is declared to be practically confiscatory.

Judge Hough in dealing with the question of the franchise states that he finds that the franchise in 1884 was worth about \$7,000,000. Reasoning from that and taking into consideration the increases in stock valuations, in payments and increases in plants, due to population and amount of gas supplied to-day as compared with 1884, he holds that the present value of the franchise of the gas company is not less than \$12,000,000. This, he says, would give a total value of tangible assets of \$20,000,000 upon which there was an income of \$1,000,000, which was less than 5 per cent.

Originally the gas company claimed a valuation of \$30,000,000 and \$40,000,000 tangible assets.

Judge Hough speaks of the statutes being in contravention of the Fourteenth Amendment. By that he means that the law creating gas at eighty cents for private consumers and second the law providing that the city of New York as a corporation should be furnished with gas at seventy-five cents per thousand for public use.

That the ruling of Judge Hough was known in advance was indicated in the stock market, when Brooklyn Union Gas went up 10 points and Consolidated Gas 8 points.

FISH AND HARAHAN IN WAR OF WORDS

CHICAGO, Dec. 20.—A sharp exchange of words took place to-day at the annual meeting of the Illinois Central Railroad Company, between President Harahan and Stuyvesant Fish.

William Nelson Cromwell, acting for Mr. Harahan, offered an amendment to a resolution adjourning the meeting to March 2 and Mr. Fish protested that Mr. Cromwell was not a stockholder.

Mr. Cromwell declared that he held a proxy, while it was being sought for Mr. Fish and President Harahan became involved in a dispute.

President Harahan declared that he understood that Mr. Cromwell was a stockholder, and Mr. Fish replied: "You understand that he is a stockholder when I tell you he is not?"

President Harahan replied that he was compelled to take the word of Mr. Fish for everything. He declared that he intended to treat Mr. Fish properly, and demanded like treatment in return.

To this Mr. Fish replied warmly: "Well, then you better keep a civil tongue in your head!"

"My tongue is civil," replied President Harahan.

Attorneys for Mr. Fish stepped in front of him at this moment and the incident was closed.

Later it was ascertained that Mr. Cromwell possessed a proxy, and that meeting was accordingly adjourned until March 2, 1908.

EVAN'S SALE EVERYWHERE.

ALENC N AND DONNA WIN AT NEW ORLEANS

Lute Foster, Recently a Long One, Captures the First at Southern Track.

MUDDERS OUT TO-DAY.

Owners at Fair Grounds Show Chagrin Because of Prospect of Rainy Winter.

(Special to The Evening World.) NEW ORLEANS, Dec. 20.—The prospects of a good track for some of the coming stake events were a glimmering when the racing folks awakened to another day of hard rain. It is very evident that there is a wet winter ahead and the men who have stables that do not include good mudders seem to be in a sorry plight. The new track at the Fair Grounds is in no condition to stand the repeated downpours.

The programme had been built for a fair track and as a result it was torn to pieces by scratches. The star number was a sprint that originally had some good ones entered.

STREET RACE.—Three-year-olds, selling, five and a half furlongs.—Lute Foster, 100 (Rosen), 9 to 2 and 5 to 1; Donna, 100 (Rosen), 7 to 2 and 4 to 1; Susan, 50 (Steele), 15 to 1 and 6 to 1; Time—1:11.55. Masson, America, Acres, Lordship, Stomach, Insurance, Rustle and Lexington also ran.

THIRD RACE.—Purse \$500; three-year-olds and upward, one mile and seventy yards.—Donna, 100 (Rosen), 7 to 2 and 4 to 1; Susan, 50 (Steele), 15 to 1 and 6 to 1; Time—1:11.55. Masson, America, Acres, Lordship, Stomach, Insurance, Rustle and Lexington also ran.

Fourth Race.—Keator, 4 to 5; first, Sally Preston, even; second, C. Good (Rosen), 10 to 1; Time—1:21.55. Lightning can away six miles this afternoon, broke her leg and was killed on the track.

MARK TWAIN'S VENTURE WINDS UP IN THE COURTS

Humorist's Breakfast Food Concern Is Bankrupt, Former Officers Allege.

When a petition in bankruptcy was filed in the United States District Court this afternoon against the Plasman Company of America, of No. 24 Stone street, it was learned that Samuel L. Clemens (Mark Twain) was vice-president of the concern.

The Plasman Company was organized five or six years ago for the manufacture of a patent breakfast food. After its organization the American humorist was induced to purchase almost half the stock of the company, and was made its vice-president. It was not long afterward that his venture wore anything but a humorous view.

He found that an effort was being made to squeeze him out, which he fought vigorously. Just how much money he invested in the concern his agent refused to say.

The suit in bankruptcy, which was begun as quietly as possible, was instituted by former officers of the company with the intention of winding up its affairs.

CARS FOR MADDOO TUNNEL.
Fireproof Vehicles Lowered Into Tube at Hoboken.

Ten cars for the Maddoo tunnel, whose Manhattan end is at Christopher street, arrived in Hoboken last night and were lowered into the tunnel to-day.

The cars resemble the subway cars in a general way, but they have side doors, which will be operated by guards at the end of the cars by means of compressed air. The cars are said to be fireproof.

SHOOTS BROKER, KILLS HIMSELF IN OFFICE ON BROAD STREET

TAFT ON ARRIVAL TELLS HIS CHOICE FOR PRESIDENT

Secretary of War When Asked by The Evening World to Name Favorite Says, "I'll Leave That to Inference."

When William Howard Taft landed on the soil of the United States this afternoon after his one-hundred-and-twenty-day-trip around the planet, a reporter for The Evening World fired at him this leading question:

"Mr. Secretary, whom do you favor for the Republican nomination for President next year?"

"Boys," said he, "I'll tell you about that—I'll just leave it to inference."

After playing at cross purposes in an unwitting game of hide and seek with a lot of unhappy newspaper men, America's big War Secretary and Globe Circling Plenipotentiary Extraordinary started for Washington at 1:17 P. M. First, though, he gave out an interview in which, skillfully avoiding all references to politics and to his own Presidential boom, he extolled American rule in the Philippines, spoke enthusiastically of the sending of our fleet to the Pacific, said the Japanese were friendly to us, and cast a few verbal bouquets at his old friend, the Mikado, and his new friend, the Czar.

The Secretary's Arrival.
With the Secretary when he arrived on the steamer President Grant, of the Hamburg-American line, were his wife and his twelve-year-old son Charles, who have been his companions from the time he left San Francisco early in the fall, and Brig-Gen. C. R. Edwards, U. S. A., Director of the Bureau of Insular Affairs, who likewise went with him around the globe.

At Quarantine the incoming ship was met by the Government tug, Gen. Joe Johnson. On board the tug were the Secretary's brother Henry Taft, the lawyer Robert Taft, the Secretary's son, William Howard Taft, and Miss Louise Taft, his daughter and niece, and Mrs. Martha Taft, who died a few days ago at her home in New England. The Secretary had been informed by cable of the death as he left Boulogne, but he had not before learned the full circumstances of the venerable lady's last illness. He was much affected.

It had been the original intention to land the tug on the Jersey City side, so that Secretary Taft might go straight aboard the special car of the Pennsylvania train that was waiting to take him to Washington. But on the way up the river he learned that the tug had come to Quarantine on the cinder, expecting to meet him there, so he decided to come across to the Twenty-third street ferry in order to give the reporters a chance to see him.

Plans Changed Again.
But just then there was another change in the plans. Gen. Frederick D. Grant, commanding the Department of the East, who had boarded the tug, told the reporters who had come to Quarantine on the cinder, expecting to meet him there, so he decided to come across to the Twenty-third street ferry in order to give the reporters a chance to see him.

SILK LINED OVER COATS GO CHEAP.
At King's, Cor. 6th Av. and 23d St.

A chance seldom offered to get a swell silk lined overcoat at \$12. Meltons, Moules and Fancy Grays included in this lot worth \$25. KING'S, corner 6th and 23d street. Open evenings until Christmas.

MEN'S MELTON OVERCOATS AT HALF PRICE AND LESS.
KING'S, the great clothing corner 6th avenue and 23d street, has some lucky purchases lately, and will sell all day to-day and to-morrow elegant silk lined Melton and Kersey Overcoats at \$15, value \$30, also gray shades. KING'S, cor. 6th av. and 23d st. Open evenings until Christmas.

WOMEN'S SUITS HALF PRICE.
At King's, Cor. 6th Av. and 23d St. Selling out balance of this season's tailor made suits at \$15, worth \$27 and \$25. Newest styles, latest cuts. Blues, Blacks and Grays. Waists almost equal at 25 cents. \$1.45 and \$1.50, worth \$3.00. Fur muff and throw at \$2.50, \$3.00 and \$4.00, an acceptable Christmas gift. KING'S, cor. 6th av. and 23d st. Open evenings until Christmas.

James H. Oliphant, Stock Exchange Member, Dying of Wound Inflicted by Customer, Who Refused to Settle Account.

SUICIDE IS CHAS. A. GEIGER, BRITISH ARMY EX-SERGEANT

Notebook Contained Incoherent Threats and Menace Against J. P. Morgan as a Man Who Would "Drive the Stock Market to Wreck and Ruin."

James H. Oliphant, head of the Stock Exchange firm of James H. Oliphant & Co., of No. 20 Broad street, was shot and mortally wounded this afternoon by Charles A. Geiger, who immediately committed suicide. The shooting occurred in Mr. Oliphant's office on the second floor of the Broad street building, which is next door to the Stock Exchange.

Mr. Oliphant was shot in the abdomen. Geiger blew out his brains after putting a bullet into his left cheek.

The only statement Mr. Oliphant made was to Dr. Baruch, of the Stock Exchange, the first physician to reach him.

"That man," said Mr. Oliphant, referring to the corpse on the floor near by, "owed us money, and I demanded it."

Geiger was a well known figure in Wall street. He was six feet tall, finely proportioned and wore a heavy black mustache. At one time he was connected with the British Army in the capacity of surgeon. He returned to New York a few days ago from an extended visit to Hot Springs, Ark. His home was in Beaufort, S. C. In this city he stopped at the Holland House.

The tragedy occurred just after the luncheon hour, when Broad street, Wall street and all the skyscrapers in the financial districts were humming with industry and trade. In the middle of Broad street, a few doors south of No. 20, hundreds of curb brokers and hangers-on were engaged in a combination of business and frolic, peering to the Wall street district in the holiday season.

Shots Caused Panic on 'Change.
Mr. Oliphant's private office is on the street front of the suite occupied by the firm. The sound of the three shots was plainly heard in Broad street as far away as Wall street and Exchange place and on the floor of the Stock Exchange next door.

The echo of the shots had not died away before Broad street was packed from curb to curb with an excited mob of brokers, bankers, clerks and newsboys. All sorts of wild rumors were afloat. It was reported that a maniac had burst into a board of directors' meeting and killed several bankers, part of the crowd made a rush for J. Pierpont Morgan's office, under the impression that the shooting had occurred there.

In the mean time the clerks in the Oliphant office had rushed into Mr. Oliphant's room. They found the head of the firm struggling on the floor to rise to his hands and knees. Geiger was a few feet away, quite dead, with two bullet wounds in the left side of his head.

After shooting Mr. Oliphant he had placed the muzzle of the revolver in his temple and pulled the trigger. The effort of firing the weapon depressed the muzzle and the bullet entered his cheek, lodging behind the left eye. He made another attempt, and this time sent the bullet into his brain.

Threat Against Morgan.
A notebook found in Geiger's pocket indicates that he was demoralized and dangerous.

Geiger came to New York in response to this letter, after further telegraphic correspondence. He appeared at the Oliphant offices shortly before noon today and spoke to Floyd Munday, a member of the firm. Mr. Munday referred him to Mr. Oliphant, and Geiger went into the private office.

He was informed by Mr. Oliphant that his account was in danger and that unless he could produce \$2,000 he would be sold out, and Geiger said he would go out and see what he could do. He promised to return later.

Later in the afternoon he appeared again and once more made his way to Mr. Oliphant's private office. He was informed by Mr. Oliphant that his account was in danger and that unless he could produce \$2,000 he would be sold out, and Geiger said he would go out and see what he could do. He promised to return later.